IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

WEDNESDAY THE EIGHTEENTH DAY OF AUGUST TWO THOUSAND AND FOUR

: PRESENT :

THE HON'BLE MR.JUSTICE: **T.CH.SURYA RAO**

CRIMINAL PETITION No.3622 of 2004

Between:

1. Mandava Venkateswarlu (A-1)
2. Kolluri Venkata Narayana (A-3)
3. Mandava Sreenicvasarao (A-9)
4. Mandava Sreenivasa Rao @ Sreenivasulu (A-16)
5. Mandava Pedakotesu (A-20)
6. Gogineny Venkateswarlu (A-26).

Petitioners

(Accused in Cr.No.68/2004 of Kondapi Police Station)

AND

State of A.P., rep. by P.P. .

Respondent/

Complainant

Petition under Section 437 & 439 of Crl.P.C. praying that in the circumstances stated therewith, the High Court will be pleased to release the petitioner on bail, pending investigation, enquiry and trial into Cr.No.68 of 2004 of Kondapi Police Station, Prakasam District.

The Petition coming on for hearing upon perusing the petition and Grounds filed herein, and upon hearing the arguments of Mr. C.Praveen Kumar, Advocate for the Petitioners and of the Public Prosecutor on behalf of the Respondent.

The Court made the following **ORDER:**

" Petitioners, who are A1,A3,A9,A16,A20 and A26 seek bail in connection with crime registered against them under sections 147, 148, 324, 307, 302 r/w. 149 of IPC. They have been in judicial custody from 27-6-2004 onwards. A perusal of the record shows that specific overt acts have been attributed qua the deceased against the petitioners 1,2 and 5 who are A1,A3 and A20 respectively. It is no doubt true that overt acts are also attributed to other petitioners 3,4 and 6 who are A9, A16 and A26 respectively but not against the deceased, as against the other injured witnesses. The investigation is in progress. It is represented by the learned Public Prosecutor that tension is still prevailing in the village for the above reasons, the request of the petitioners 3,4 and 6 who are A9,A16 and A26, in the crime respectively, may be considered on some conditions.

In the result, petition is allowed in part and the petitioners 3,4 and 6 shall be enlarged on bail on each one of them executing a bond for Rs. 5,000/- (Rupees five thousand only) with two sureties for likesum each to the satisfaction of Additional Munsif Magistrate, Kandukur. On such release the petitioners 3,4 and 6 shall stay at Kondapi and shall appear before the Station House Officer, Kondapi Police Station once in a day between 8.00 A.M. and 8.00 P.M. and shall sign in the register to be maintained for that purpose, until further orders.

Petition in so far as petitioners 1,2 and 5 is concerned, the same is dismissed. They can renew their request at an appropriate stage."

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The Additional Munsif Magistrate, Kandukur, Prakasam District.
2. The Superintendent, Sub Jail, Kanigiri, Prakasam District.
3. The Superintendent, Sub Jail, Kandukur, Prakasam District.
4. The SHO, Kondapi Police Station, Prakasam District.
5. Two CCs to the Public Prosecutor, High Court of A.P.Hyd(OUT)
6. One CC to Mr. C.Praveen Kumar, Advocate (OPUC)
7. One spare copy.

SAH